

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2020-263-E

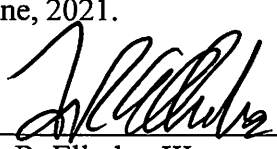
In the Matter of:

Cherokee County Cogeneration Partners,
LLC, Complainant/Petitioner v. Duke
Energy Progress, LLC and Duke Energy
Carolinas, LLC, Defendant/Respondent

**MOTION FOR ADMISSION
PRO HAC VICE**

Duke Energy Progress, LLC and Duke Energy Carolinas, LLC by and through undersigned counsel, respectfully moves the Public Service Commission of South Carolina (the "Commission") to permit Tracy S. DeMarco to practice *pro hac vice* before the Commission in the above-referenced matter. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Ms. DeMarco has filed a Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court Office of Bar Admissions. A copy of her Application, as filed with the Supreme Court, is attached.

Respectfully submitted this 25th day of June, 2021.



Frank R. Ellerbe, III
Robinson Gray Stepp & Laffitte, LLC
1310 Gadsden Street
Columbia, South Carolina 29211
Telephone: 803.929.1400
E-mail: fellerbe@robinsongray.com

*Attorney for Duke Energy Carolinas, LLC and
Duke Energy Progress, LLC*

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

<u>Cherokee County Cogeneration Partners, LLC</u>	<u>2020-263-E</u>	<u>Public Service Commission of South Carolina</u>
Plaintiff	Case No.	Tribunal

vs.

<u>Duke Energy Progress, LLC and Duke Energy Carolinas, LLC</u>	Mailing Address of Tribunal: <u>101 Executive Center Drive</u>
Defendant	<u>Suite 100</u> <u>Columbia, SC 29210</u>

Comes now Tracy S. DeMarco, applicant herein, and respectfully represents the following:

1. Applicant resides at:
2813 Carriage Meadows Drive
 Street Address
Wake Forest Wake NC 27587
 City County State Zip Code
919-426-6116
 Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)
McGuireWoods LLP, with offices at
501 Fayetteville Street, Suite 500
 Street Address
Raleigh Wake NC 27601
 City County State Zip Code
(919) 755-6682 (919) 426-6116 (919) 755-6596 TDeMarco@mcguirewoods.com
 Primary Telephone Cell Phone Fax Number Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by
Duke Energy Progress and Duke Energy Carolinas, LLC to provide legal representation in
 connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since August of 2009, applicant has been, and presently is, a
 member in good standing of the bar of the highest court of the District of Columbia or the State of
North Carolina where applicant regularly practices law. Attached is a certificate of good
 standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State
 where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts
 applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of
 Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:
Supreme Court of the State of North Carolina	August 28, 2009

Court:	Date Admitted:
District of Columbia Bar	March 7, 2011
USDC Eastern District of North Carolina	November 12, 2015
USDC Western District of North Carolina	November 23, 2015
USDC Middle District of North Carolina	November 30, 2015
USDC District of Columbia	March 7, 2011

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

Affirmed

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Affirmed

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

Affirmed

9. Local counsel of record associated with applicant in this case is Frank R. Ellerbe, III
of the Robinson Gray Stepp & Laffitte, LLC law firm, which has offices at:

<u>1310 Gadsden Street</u>	<u>Richland</u>	<u>SC</u>	<u>29211</u>
Street Address	County	State	Zip Code
<u>Columbia</u>	<u>(803) 227-1112</u>	<u>(803) 929-0300</u>	<u>fellerbe@robinsongray.com</u>
City	Cell Phone	Fax Number	Email Address
<u>(803) 929-1400</u>			
Primary Telephone			
<u>1866</u>			
South Carolina Bar Number			

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

(1)
Name/Address of Tribunal: SC Court of Common Pleas, Saluda County, 100 East Church Street, Saluda, SC 29138
Case Name: Sylvette Holston, Individually and as PR of the Estate of Dennis Holston v. McNeilus Companies, Inc., Nu-Life Environmental, Inc. and the Twn of Ridge Springs, SC
Case No.: 2016-CP-41-89

Application Filed: May 2017

Status: Case Closed

Local Counsel of Record: Monteith P. Todd, Sowell Gray Robinson Stepp & Laffitte, LLC

Application Granted: June 15, 2017

(2)

Name/Address of Tribunal: SC Court of Common Pleas, Florence County, 180 North Irby Street, Florence, SC 29501

Case Name: Herbert Baker v. Sunbelt Rentals, Inc. et al

Case No.: 2016-CO-21-1953

Application Filed: December 2016

Status: Proceeding Remains Open

Local Counsel of Record: Monteith P. Todd, Sowell Gray Robinson Stepp & Laffitte, LLC

Application Granted: December 12, 2016

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 22nd day of June 22, 20 21


APPLICANT

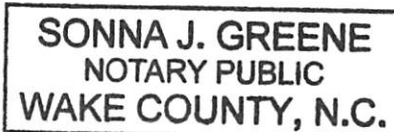
VERIFICATIONSTATE OF North Carolina)COUNTY OF Wake)

I, Tracy S. DeMarco, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.

Tracy S. DeMarco
APPLICANT/AFFIANT

Subscribed and sworn to before me this 22nd day of June, 20 21

Sonna J. Greene

Notary Public for the State of North CarolinaMy Commission Expires: March 6, 2024**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 23rd day of June, 20 21

[Signature]
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 22nd day of June, 20 21

Tracy S. DeMarco
APPLICANT/AFFIANT

The North Carolina State Bar

I, Alice Neece Mine, Secretary of the North Carolina State Bar,
do hereby certify that

Ms. Tracy Nicole Stewart DeMarco (Bar # 40104)

was licensed to practice law by the State of North Carolina on August 28, 2009.

Said lawyer is presently an active member of the North Carolina State Bar and is eligible to practice law in North Carolina.

Said lawyer is not subject to a pending order of administrative or disciplinary suspension.

Said lawyer's financial account with the State Bar is current.

Therefore, said lawyer is in good standing with the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar,
this the 22nd day of June, 2021.



Alice Neece Mine
Secretary of the North Carolina State Bar

